

**REMARKS**

Applicants have carefully reviewed the Office Action dated September 5, 2003. Applicants have amended Claims 29, 31, 34 and 35 to more clearly point out the present inventive concept. Claims 1-28, 30, 32 and 33 have been canceled to further the prosecution of this application. Reconsideration and favorable action is respectfully requested.

The Specification has been objected to for various informalities. However, Applicants note that Serial No. 09/151,530 was reflected in the amendment dated October 2002. This Cross Reference to Related Application section has been amended to note the correct status of Serial No. 09/151,471.

The Examiner has made various claims objections which have been corrected with respect to the remaining claims.

The remaining claims stand rejected under 35 U.S.C. 103(a) as being unpatentable over *Hudetz et al.*, U. S. Patent No. 5,978,773 in view of *Watanabe*, U. S. Patent No. 6,163,803. This rejection is respectfully traversed with respect to the amended claims.

Applicants present inventive concept, as defined by the amended claims, is directed toward a system where an audio signature is permanently assigned to a location on a network. Thereafter, this association is then placed into a database on an intermediate node or at a remote location on the network. When the audio information is transmitted to a user location, the first location, the audio information will be received and encoded information extracted therefrom. This encoded information is then transmitted to the remote location in response to receipt of the audio signal. At the intermediate node, the database is examined and, if there is match, then the routing information associated with the received information, i.e., the encoded information extracted from the audio signal, is transferred back to the first location that transmitted the extracted encoded information, and then this first location caused to be connected to the vendor location that was uniquely associated with the audio signature.

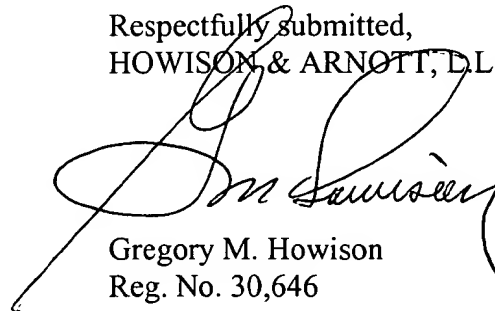
The *Hudetz* system does not provide this unique allocation of an audio signature with a defined

location, i.e., a determinative location. Rather, all *Hudetz* does is provide a relationship between a bar code and a routing address. This routing address can be changed and, further, the routing address can go anywhere. There is no requirement that it goes to any particular location. Therefore, the bar code is not associated with the location on the network, such that, when the bar code is scanned, it does not always go to a determinative location. The location that it goes to is a function of what is stored in the routing table at the associative database location. The *Watanabe* reference does not cure these differences, as all the *Watanabe* reference does is to provide a way to embed a URL into the audio transmission path, which can then be extracted therefrom. There is no intermediate node involved. As such, Applicants believe that the two references combined do not show that there is a unique audio signature that is associated with a particular location on the network and this audio signature can then be utilized only for the purpose of contacting that location. Therefore, Applicants respectfully request withdrawal of the 35 U.S.C. §103(a) rejection with respect to the remaining claims.

Applicants bring to the Examiner's attention a reference that was provided in Applicant's Information Disclosure Statement. This is U. S. Patent No. 6,003,073, issued to *Solvason* on December 14, 1999. This patent involves a system similar to *Hudetz* except that there is no intermediate node, but it does utilize an audio signal.

Applicants have now made an earnest attempt in order to place this case in condition for allowance. For the reasons stated above, Applicants respectfully request full allowance of the claims as amended. Please charge any additional fees or deficiencies in fees or credit any overpayment to Deposit Account No. 20-0780/PHLY-24,815 of HOWISON & ARNOTT, L.L.P.

Respectfully submitted,  
HOWISON & ARNOTT, L.L.P.



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**AMENDMENT AND RESPONSE**  
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